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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CASE NO: 2:16-cr-0032-JCM-EJY
vs.	)	
	)	
KIMBERLY ANN MILKO,	)	<b>STIPULATION TO RESCHEDULE</b>
	)	<b>PRETRIAL DIVERSION HEARING</b>
Defendant.	)	
	)	(Second Request)
	)	
	)	
	)	
	)	

IT IS HEREBY STIPULATED AND AGREED, by and between ROBERT A. KNIEF, ESQ., Assistant United States Attorney, counsel for the UNITED STATES OF AMERICA; THOMAS A. ERICSSON, ESQ., counsel for defendant, KIMBERLY ANN MILKO, that the pretrial diversion hearing currently scheduled for February 20, 2020, at the hour of 10:00 a.m., be vacated and rescheduled to February 18, 2020, at 10:30 a.m.

This stipulation is entered into for the following reasons:

1. Counsel for Defendant Milko has a conflict in his schedule that necessitates rescheduling the hearing.
2. Defendant Kimberly Milko is currently out of custody, and she agrees with rescheduling the hearing.

1           3.     Counsel for Kimberly Milko has spoken to Assistant United States Attorney  
2                 Robert A. Knief, and he agrees with rescheduling the hearing.

3           4.     The change in time requested herein is not sought for purposes of delay.

4           5.     Additionally, denial of this request to reschedule the hearing could result in a  
5                 miscarriage of justice.

6 DATED: February 14, 2020.

7 /s/ Thomas A. Ericsson  
8 THOMAS A. ERICSSON, ESQ.  
9 Counsel for Kimberly Ann Milko

/s/ Robert A. Knief  
ROBERT A. KNIEF, ESQ.  
Assistant United States Attorney  
Counsel for USA

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA, )

4 Plaintiff, )

5 vs. )

6 KIMBERLY ANN MILKO, )

7 Defendant. )

CASE NO: 2:16-cr-0032-JCM-EJY

8 **FINDINGS OF FACT, CONCLUSIONS**  
9 **OF LAW, AND ORDER**

(Second Request)

10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

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- 14 1. Counsel for Defendant Milko has a conflict in his schedule that necessitates  
15 rescheduling the hearing.
  - 16 2. Defendant Kimberly Milko is currently out of custody, and she agrees with  
17 rescheduling the hearing.
  - 18 3. Counsel for Kimberly Milko has spoken to Assistant United States Attorney  
19 Robert A. Knief, and he agrees with rescheduling the hearing.
  - 20 4. The change in time requested herein is not sought for purposes of delay.
  - 21 5. Additionally, denial of this request to reschedule the hearing could result in a  
22 miscarriage of justice.

23 **CONCLUSION OF LAW**

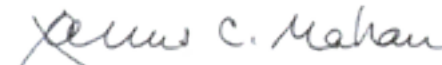
24 The ends of justice served by granting said stipulation outweigh the best interests of the  
25 public, since the failure to grant said stipulation would be likely to result in a miscarriage of  
26 justice, would deny the defendant sufficient time and the opportunity within which to be able  
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1 to effectively and thoroughly prepare for the pretrial diversion hearing, taking into account the  
2 exercise of due diligence.

3 **ORDER**

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5 IT IS ORDERED that the pretrial diversion hearing currently scheduled for February 20,  
6 2020, at the hour of 10:00 a.m. be vacated and rescheduled to February 18, 2020, at the hour of  
7 10:30 a.m.

8 DATED February 14, 2020.

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13 UNITED STATES DISTRICT JUDGE  
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